

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

DANIEL COX

PLAINTIFF

vs.

No. 1:06CV97-D-D

FOUNDATION SURGERY CENTER OF  
SAN ANTONIO, L.L.P. d/b/a PHYSICIAN'S  
AMBULATORY SURGERY CENTER; et al.

DEFENDANTS

ORDER DENYING MOTION TO DISMISS

Pursuant to an opinion issued this day, it is hereby ORDERED that:

(1) the Defendants' motion to dismiss (docket entries 9, 23) is DENIED.

SO ORDERED, this the 8th day of November 2006.

/s/ Glen H. Davidson  
Chief Judge